



SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

Please Complete and Return This Form by July 1, 2002.

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: EXCELSIOR MANAGEMENT CORPORATION

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

EXCELSIOR MANAGEMENT CORPORATION
172 GOLDEN GATE AVE
SAN FRANCISCO, CA 94102

STATEMENT NO.: S009375
CONTACT PHONE NO.: (415)928-3200

FOR ONLINE REPORTING AT
www.waterrights.ca.gov

USER NAME: S009375
PASSWORD: C22509

Source Name: DENNISTON CREEK
Tributary To: PACIFIC OCEAN
County: San Mateo
Diversion Within: SE1/4 of SW1/4 Section 02, T05S, R06W, MB&M

Year of First Use:
Parcel Number:

A. Water is used under: Riparian claim ☒ Pre 1914 right Pre-1914 ☒ Other (explain): _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are:													Total Annual
Gallons Acre-feet Other													
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
1999	X	X	X	X	X	X	X	X	X	X	X	X	
2000	X	X	X	X	X	X	X	X	X	X	X	X	
2001	X	X	X	X	X	X	X	X	X	X	X	X	

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation: ~~70~~ acres; Stockwatering: ~~400~~ 400; Domestic: _____

Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ___ NO ___
Describe any water conservation efforts you have initiated: _____

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

Reductions in consumptive use:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ___ NO ___

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO _____.
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to wastewater reclamation. YES ____ NO ____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO _____.
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to conjunctive use efforts. YES ____ NO ____

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: May 31, 2002 at _____, California

SIGNATURE: L Keith Bieg

PRINTED NAME: L Keith Bieg
(first name) (middle init.) (last name)

COMPANY NAME: Agent

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: EXCELSIOR MANAGEMENT CORPORATION

EXCELSIOR MANAGEMENT CORPORATION
210 16TH AVE
SANTA CRUZ, CA 95062

STATEMENT NO: S009375

SOURCE: DENNISTON CREEK
TRIBUTARY TO: PACIFIC OCEAN
COUNTY: SAN MATEO
DIVERSION

TELEPHONE NUMBER:
(408) 475-9318

YEAR OF FIRST USE:
PARCEL NO:

WITHIN: SE¼ OF SW¼ SECTION 2, T5S, R6W, MB&M.

A. Water is used under: Riparian claim X; Pre 1914 right X; Other (explain) _____

B. Year of first use (Please provide if missing above) pre - 1914.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993	X	X	X	X	X	X	X	X	X	X	X	X	
1994	X	X	X	X	X	X	X	X	X	X	X	X	
1995	X	X	X	X	X	X	X	X	X	X	X	X	

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation: 24 acres; Stockwatering _____; Domestic _____

Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 6/12, 19 96 at 172 Golden Gate Ave San Francisco, California

SIGNATURE: Christina C. Dierker

PRINTED NAME: CHRISTINA C. DIERKER
(FIRST NAME) (M NAME) (LAST NAME)

COMPANY NAME: Excelsior Management

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

[illegible]

There are two principal types of surface water rights in California, riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on their riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available, including the following:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockpounds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810

901 A ST. W. SACRAMENTO, CA
95811-322-4503
CONTROL BOARD

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIV. OF WATER RIGHTS
SACRAMENTO

DIVERTER OF RECORD:

STATEMENT NO: 009375

HALF MOON BAY PROPERTIES, INC
P O BOX 38
HALF MOON BAY, CA 94019

TELEPHONE NUMBER:
(415) 726-5251

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: DENNISTON CREEK New owner as of 3/4/87
Corado, Inc.

TRIBUTARY TO: PACIFIC OCEAN 2000 Fairway Drive
Half Moon Bay, CA 94019

COUNTY: SAN MATEO (415) 726-0400

DIVERSION

WITHIN: SE1/4 OF SW1/4 SECTION 02, T05S, R06W, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1989. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts ☐ Gallons
below are: ☐ Acre-feet
☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1986	All available water used by Coastside County Water District												
1987	Property Sold 3-4-87												
1988													

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering _____

Domestic _____

Other (specify) _____

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 12/12, 1988, at Half Moon Bay, California

Signature: Audi Juki
Office mgr.

JAN 9 1989 KSN

(14) Permit # 1812-1

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS **

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S009375

OWNER OF RECORD: CORADO, INC EXCELSIOR MANAGEMENT Corp.

CORADO, INC Excelsior management corp.
2002 FAIRWAY DRIVE // % Stanley S. Skeehan
HALF MOON BAY // CA 94019 210 16th Ave., Santa Cruz, CA 95062STATE WATER RESOURCES CONTROL BOARD
DIV. OF WATER RIGHTS
SACRAMENTO
1995 APR 24 PM 1:47SOURCE: DENNISTON CREEK
TRIBUTARY TO: PACIFIC OCEAN
COUNTY: SAN MATEO
DIVERSION

(408) 475-9318

TELEPHONE NUMBER:

(415) 726-0400

YEAR OF FIRST USE: Pre-1914

PARCEL NO:

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995.

A. Water is used under: Riparian claim ☒; Pre 1914 right ☒; Other (explain) _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

LICENSE: 0000791

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	X	X	X	X	X	X	X	X	X	X	X	X	
1993	X	X	X	X	X	X	X	X	X	X	X	X	
1994	X	X	X	X	X	X	X	X	X	X	X	X	

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 24 ac _____ acres; Stockwatering _____; Domestic _____

Other (specify) _____

*** CONTINUE ON BACK PAGE ***

*** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ***

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NO CHANGE

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: April 20, 1995, at San Francisco, California

SIGNATURE: Christina Dierker

PRINTED NAME: CHRISTINA

COMPANY NAME: Excelsior Management Corp.

(FIRST NAME)

(M. NAME)

(LAST NAME)

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA 95811
(916) 322-4503

(916) 324-5676
SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

CIV. SERV. WATER RIGHTS
SACRAMENTO

DIVERTER OF RECORD:

STATEMENT NO: 009375

CORADO, INC
2000 FAIRWAY DRIVE
HALF MOON BAY, CA 94019

TELEPHONE NUMBER:
(415) 726-0400

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: DENNISTON CREEK

TRIBUTARY TO: PACIFIC OCEAN

COUNTY: SAN MATEO

DIVERSION

WITHIN: SE1/4 OF SW1/4 SECTION 02, T05S, R06W, NDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1992. (Additional information on reverse side of this form.)

- A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.
- Amounts below are: ☐ Gallons ☒ Acre-feet ☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept	Oct	Nov.	Dec.	Total Annual
1989	✓	✓	✓									✓	49
1990	✓	✓	✓									✓	49
1991	✓	✓	✓									✓	49

- B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 70 ACRES

Stockwatering

Domestic COASTSIDE COUNTY WATER DISTRICT

Other (specify) APPROPRIATE RIGHTS SUBJECT TO CCWD USAGE

- C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 5-21, 1992, at HALF MOON BAY, California

Signature: J. Kneale

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS
STATEMENT OF WATER DIVERSION AND USE

9375

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water **Half Moon Bay Properties, Inc.**
(Cabrillo Farms, 1977 lessee)
Address **P.O. Box 38, Half Moon Bay, CA 94019**

B. Name of body of water at point of diversion **Denniston Creek**
Tributary to **Pacific Ocean**

C. Place of diversion **SE 1/4 SW 1/4 Section 2, Township 5S, Range 6W, MD B&M, San Mateo**
County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works **Denniston Reservoir**

E. Capacity of diversion works **1 cfs. 30 hp.**
Capacity of storage reservoir **31 Acre-Feet**
State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
	:	:	:	:	X	X	X	X	X	X	:	:	

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.
200 acres

Maximum annual water use in recent years **300 acre-feet** gallons

Minimum annual water use in recent years **150 acre-feet** acre-feet

Type of diversion facility: gravity, pump **X**

Method of measurement: weir, flume, electric power meter **X**, water meter, estimate **X**

F. Purpose of use (what water is being used for) **irrigation of sprouts**

G. General description or location of place of use (use sketch of section grid on reverse side if you desire)
NW 1/4 of Section 11, NE 1/4 of NE 1/4 Section 11 all in T5S, R6W MD B&M

H. Year of first use as nearly as known **pre-1914 and riparian rights claimed**

I. Name of person filing statement **M. R. Jarrett and Paul C. Smith**
Assistant Secretary
Position and Vice President Organization **Half Moon Bay Properties, Inc.**
Address **P.O. Box 38, Half Moon Bay, CA 94019**

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed **7-7-77**

Signature

See Instructions on Reverse Side



State Water Resources Control Board



Winston H. Hickox
Secretary for
Environmental
Protection

Division of Water Rights
901 P Street • Sacramento, California 95814 • (916) 657-2046
Mailing Address: P.O. Box 2000 • Sacramento, California • 95812-2000
FAX (916) 657-1485 • Web Site Address: <http://www.swrcb.ca.gov>
E-Mail: rduff@waterrights.swrcb.ca.gov

Gray Davis
Governor

OCT 22 1999

In Reply Refer
to:341:RMD:25353, et al

John M. Sherwood, President
Excelsior Management Corporation
172 Golden Gate Avenue
San Francisco, CA 94102

Dear Mr. Sherwood:

LICENSE 11983 (APPLICATION 25353), PERMIT 17505 (APPLICATION 25354),
LICENSE 12384 (APPLICATION 25355), PERMIT 17627 (APPLICATION 25356),
PERMIT 18121 (APPLICATION 25461), PERMIT 18122 (APPLICATION 25467),
PERMIT 18123 (APPLICATION 25468), AND PERMIT 18124 (APPLICATION 25469) AND
STATEMENTS 9375, 9376, 9377, AND 9378 VARIOUS SOURCES INCLUDING MARTINI,
SAN VICENTE, AND DENNISTON CREEKS IN SAN MATEO COUNTY

This letter is to follow up several recent phone conversations with you and your attorney,
Paul Minasian, concerning the status of the above-referenced water rights.

Ownership Update:

Our records currently show Stanley S. Skeeahan as your agent for water right matters.
Mr. Skeeahan passed away several months ago. We understand that you are trying to retain
another agent. In the interim, we will update our ownership records for the eight appropriate
water right permits and licenses listed above as follows:

Excelsior Management Corporation
172 Golden Gate Avenue
San Francisco, CA 94102
(415) 928-3000

Our records show four claims of riparian rights covered by Statements 9375, 9376, 9377, and
9378 that appear to have the same place of use covered by some combination of the appropriate
water rights. Statement 9375 is currently listed in the name of "Excelsior Management
Corporation", while Statements 9376, 9377, and 9378 are shown in the name of "Corado, Inc."
Accordingly, unless notified otherwise in the next 30 days, we will assign all four of these
statements to "Excelsior Management Corporation".

There are no fees required for the records update. Copies of the permits, licenses, and statements
are enclosed.

RDUFF

10-21-99

California Environmental Protection Agency

Recycled Paper

OCT 22 1999

Status - Permits 18121 and 18124:

Permit 18121 (Application 25461) and Permit 18124 (Application 25469) warrant some immediate attention because the second time extensions for both permits expired on December 31, 1993. For these two permits, you have three options, as summarized below:

1. **License:** You can request issuance of a water right license based on the as-built project. Issuance of any license will be contingent on compliance with all permit terms and conditions, verified by an on-site inspection by Division staff. There is no fee required for issuance of a license based on the maximum diversion rate, amount, and season of water actually used prior to the most recent permit expiration date.
2. **Time Extension:** You have the option to submit a request for a third time extension if the project is not complete. For the State Water Resources Control Board to consider another time extension, the enclosed Form WR 20C should be completed and returned along the appropriate fees, \$50 payable to the "State Water Resources Control Board" for each permit. In addition, one additional fee is required, \$850 payable to the "State Department of Fish and Game" which can cover time extensions for both permits, if necessary.
3. **Permit Revocation:** If the project has been abandoned, you can request that the Board revoke the permit. Form WR 20C can be completed, signed, and returned for the permit revocation option. There is no fee required for permit revocation. If the permit is revoked, please keep in mind that a new application will be required if you want to build the project in the future.

We would appreciate a response by **December 1, 1999** concerning which option you wish to pursue for Permits 18121 and 18124.

Special Permit Terms:

You should carefully review the terms and conditions of your various permits and licenses. Several have terms that require outlet pipes to be installed and maintained in the dams. Also, several permits specify minimum stream bypass flow requirements and associated measuring device. These measuring devices may need to be re-rated regularly due to the instability of the creek channels. You should also keep records of the diversion dates and associated gage readings to verify compliance with the bypass flow requirements. Please note that these terms prohibit any diversions unless the bypass flow measuring devices have been installed. Several permits also require you to contact the State Department of Fish and Game and the California Regional Water Quality Control Board, San Francisco Bay Region, for specified actions prior to any construction or water diversion.

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Failure to comply with these terms and conditions could result in permit or license revocation and/or enforcement action, including an imposition of an administrative civil liability of up to \$500 per day.

Reporting:

An appropriate water right permit or license can be reduced or revoked after five continuous years of nonuse, or due to noncompliance with terms and conditions. To track the status and actual water use under the terms and conditions of the permits, we distribute a pre-printed form, "Progress Report by Permittee" each year. For the licenses and statements, we distribute a pre-printed forms, "Report of Licensee" and "Supplemental Statement", respectively, on three-year intervals.

The reporting for the water rights is not in good standing because it has been at least 2 years since we received the last Reports for these filings. We assume your new agent will be instructed to bring the reporting back into good standing. We can provide you or your new agent with copies of the overdue Reports upon request. There are no fees required to file the Reports.

If you have any questions, please write or phone me at (916) 657-2046.

Sincerely,

ORIGINAL SIGNED BY

Ronald M. Duff
Associate WRC Engineer
Permit and License Unit

Enclosures

cc: Paul Minasian (w/enclosures)
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